

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
ERIE DIVISION

STEFON JOHNSON JR.,

Plaintiff,

vs.

C.O. 1 LESKO, CO 1 SIGWORTH, SGT.
KEMP, SGT. MOOR, L.P.N. ANDRAKO,
CO 4 GILL, LT. HARDING,
INDIVIDUALLY AND IN THEIR
OFFICIAL CAPACITIES; C.O. 1
BOOHER, C.O. 1 WILLCOX, C.O. 1
TERMINE,

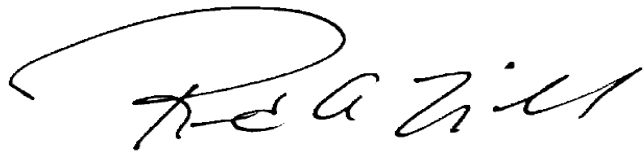
Defendants,

)
)
) 1:20-CV-00149-SPB
)
)
) RICHARD A. LANZILLO
) UNITED STATES MAGISTRATE JUDGE
)
)
) ORDER ON PLAINTIFF'S MOTION TO
) COMPEL PROPER SERVICE AND FOR
) LEAVE TO FILE A SUR RELPY BRIEF
)
) ECF NO. 85
)

Before the Court is a motion filed by Plaintiff Stefon Johnson Jr. ("Johnson") asking the Court to order the Defendants to serve documents to him directly at the state correctional institution where he is held and for leave to file a Reply to the Defendants' Reply brief (Sur Reply Brief). As pertains the request for direct delivery of mail, the motion is **DENIED**. Pursuant to Department of Corrections Policy Statement DC-ADM 803, only mail from the Court or an inmate's own attorney may be mailed to the inmate directly at the prison. All other mail, including mail from opposing counsel, must be processed through the Smart Communications processing facility. While the Court understands and shares Johnson's frustration at the delays in receiving filings, the Court does not presently have the authority to order the prison to accept filings from defense counsel at the prison's address. Should a mechanism to do so become available, the Court will permit Plaintiff to renew his motion at that time.

Johnson's motion for leave to file a Sur Reply brief is **GRANTED**. Johnson's brief is due within twenty-one days of the date of this order, that is, on or before **Thursday, February 24, 2022**. Absent good cause, no request for an extension of this deadline will be granted. The Sur Reply brief shall not exceed five (5) pages. *See* Judge Lanzillo's General Practices and Procedures Memorandum, available at https://www.pawd.uscourts.gov/sites/pawd/files/Lanzillo_General_Practice_Procedures_April_21.pdf. Further, the Court cautions Johnson that Sur Reply briefs should further elucidate the issues before the Court and not merely repeat his previous arguments. *See Elgadi v. Ideal Development, LLC*, 2021 WL 3662359, at *7 (E.D. Pa. July 30, 2021).

SO ORDERED this 3rd day of February, 2022.

A handwritten signature in black ink, appearing to read 'R. Lanzillo', with a large, sweeping flourish above the name.

RICHARD A. LANZILLO
UNITED STATES MAGISTRATE JUDGE